

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 5:24-cv-01989-SSS-SHKx

Date September 25, 2024

Title *Delon Johns v. Denis McDonough*

Present: The Honorable SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (IN CHAMBERS) ORDER to Show Cause Why This Case
Should Not Be Dismissed for Lack of Subject Matter
Jurisdiction**

Plaintiff Delon Johns filed a lawsuit alleging she was subjected to sexual discrimination and harassment while working for the Department of Veterans Affairs. [*See generally* Dkt. 1].

Federal district courts “have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party.” *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006). There are two types of subject matter jurisdiction: federal question jurisdiction and diversity jurisdiction. 28 U.S.C. §§ 1331, 1332. The party asserting jurisdiction bears the burden of showing subject matter jurisdiction exists. *See Leite v. Crane Co.*, 749 F.3d 1117, 1121 (9th Cir. 2014).

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Here, Delon fails to allege this Court has either federal question jurisdiction or diversity jurisdiction. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** in writing why this action should not be dismissed for lack of subject matter jurisdiction. The response must not exceed 10 pages, and it is due by **October 18, 2024**. A hearing is set on this matter on **October 25, 2024, at 1:00 p.m. via Zoom videoconference**.

IT IS SO ORDERED.